GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 0.83 ha of forest land in Compt.376 of Sangam RF of SPSR Nellore Division for formation of new approach road to reach quarry area (already diverted 4.59 ha of forest land for quarrying of road metal in Sy.No.361 of Sangam (V) & Mandal, Sangam RF, SPSR Nellore Division/District) in favour of Smt.D.Mamatha Rani, Nellore – Permission accorded – Orders – Issued.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.58 **Dated.13.09.2021**

Read the following:-

1.From GoI, MoEF&CC, R.O, Chennai, Lr.F.No.4-APB895/2012-BAN/2028, Dt. 18.12.2017.
2.G.O.Ms.No.8, EFS&T(Sec.II) Dept., dt.25.01.2018.
3.From the PCCF(HoFF), Lr.Rc.No.8454/2011/FCA-2, dt.28.07.2020 and even no.dt.01.10.2020.
4.State Govt.Lr.No.1282/Sec.II/2020, EFS&T(Sec.II) Dept., dt.04.11.2020.
5.From the GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.4-APB895/2012-BAN/9, Dt.23.12.2020.
6.From the PCCF & HoFF, Lr.Rc.No.8454/2011/FCA-2, dt.24.03.2021.
7.State Govt.Lr.No.1282/Sec.II/2020, EFS&T(Sec.II) Dept., dt.30.03.2021.
8.From the GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.4-APB895/2012-BAN part/62, Dt.19.08.2021.

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ORDER:

In the letter first read above, the Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Chennai, has accorded Final (Stage-II) approval u/s 2 of Forest (Conservation) Act, 1980, for diversion of 4.59 Ha. of forest land for quarrying of road metal in Sy.No.361 of Sangam (V) & Mandal, Sangam RF, SPSR Nellore Division/District in favor of Smt. D.Mamatha Rani, Nellore, subject to certain conditions stipulated therein. Accordingly, the State Government vide in the G.O.2nd read above, have issued orders for diversion of above said forest land subject to certain conditions stipulated therein.

2. In the letter 3rd read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has stated the User Agency i.e. Smt. D.Mamatha Rani, Nellore has proposed a new road on the western side of the above mining lease to a length of 1.36 Km (1.15 km in RF and 0.21 Km in the existing RoW) so as to save mileage and avoid the heavy traffic to reach stone crusher as it is being established in the revenue land on the western side of the proposed mining area and it is near by 1.36 km from the proposed mining lease area. The permitted road of the user agency is 4 km distance from the stone crusher unit of the user agency and Nellore Division is taking up Karthikavanam tree planting in Sangam RF under MNREG Scheme and the vehicle movement in the permitted road will affect the developmental activities taken up by the Department and hence the User Agency has proposed new road involving diversion of forest land to an extent of 0.83 ha. Further, the non-forest land over an extent of 0.86 ha. in lieu of newly proposed road has been identified in Sy.No.46 of Chennapanayunipally Village, C.S. Puram Mandal, Praksham District of Giddalur Division and the Divisional Forest Officer, Giddalur has prepared Compensatory Afforestation Scheme for a period from 2021-22 to 2032-33 with financial outlay of Rs.13.70 Lakh. The total scheme for CA is Rs.43.515 lakh (Rs.29.815 lakh + Rs.13.70 lakh).

3. In the letter 4th read above, the proposal of the Principal Chief Conservator of Forests & Head of Forest Force was sent to Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada for according necessary approval under Section-2 of Forest (Conservation) Act, 1980. In turn, the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada in the letter 5th read above, has sought a detailed report, with justification for changing of approach road against approved one.

(Contd.P-2)

4. In the letter 6th read above, the Principal Chief Conservator of Forests & Head of Forest Force, has furnished detailed report stating, as reported by the user agency the old road which was permitted by the Government of India over an extent of 0.22 ha. in Sangam RF will affect the developmental activities of the Division and will cause damage to the plants already raised by the Department. Further, if this approved road (0.22 ha.) is utilized by them, there will be a pollution due to vehicular traffic and the loaded vehicles with quarried material will disturb the young plantations so raised by the Forest Department. In the letter 7th read above, the State Government has forwarded the same to Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada for consideration.

5. In the letter 8th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office Vijayawada, have accorded approval under Section-2 of Forest (Conservation) Act, 1980 for diversion of 0.83 Ha. of forest land for formation of new approach road to reach quarry area **(for which Government of India had already accorded final approval under FCA, 1980 vide letter F.No.4-APB895/2012-BAN/2028, Dt.18.12.20217)** in favour of Smt.D.Mamatha Rani, Nellore, subject to certain conditions stipulated therein.

6. After careful examination of the proposal, the Government hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 0.83 ha of forest land in Compt.376 of Sangam RF of SPSR Nellore Division for formation of new approach road to reach quarry area (already diverted 4.59 ha of forest land for quarrying of road metal in Sy.No.361 of Sangam (V) & Mandal, Sangam RF, SPSR Nellore Division/District) in favour of Smt.D.Mamatha Rani, Nellore, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;

ii. The approved road alignment diverted earlier over 0.22 ha of forest area in favour of User Agency i.e. Smt Mamatharani shall be reverted back to the forest department and no claim shall exist on the CA and NPV paid towards this area as agreed by the User Agency;

iii. An extent of 0.86 ha of non-forest area identified in Sy.No.46 of Chennapanayunipally Village, C.S. Puram Mandal, Prakasham District of Giddalur Division for compensatory afforestation purpose shall be transferred & mutated in favour of Forest Department and State Government shall notify the mutated CA area as RF/PF.The State Government shall carry out compensatory afforestation at the cost of the User Agency as per the CA scheme;

iv. The State Government shall charge the Net Present Value of the diverted forest land measuring **0.83 ha** from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.0.3.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995;

v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency;

vi. All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal *(https://parivesh.nic.in/);*

vii. The proposed road alignment involving 0.83 ha area will be used by both the user agencies Smt Mamatharani & Shri C.V.Sesha Reddy and shall include the access to quarries of both the User Agencies;

viii. The road bit connecting the village in the RE shall continue to be available for use by general public and no objection shall be made by the User Agency;

(Contd.P-3)

ix. The width of the road shall be so adjusted as to limit the extent to 0.83 ha connecting both the quarries;

x. The total forest area diverted in favour of Smt Mamatharani under the subject proposal shall not exceed **5.20 ha** (including 0.83 ha for new approach road);

xi. The report on levies received by the User Agency towards. NPV, CA etc and notification of CA area in to RF/PF, reverting of 0.22 ha already diverted forest area to the forest department shall be submitted to the IRO, Vijayawada for record purpose;

xii. The 0.83 ha Forest area diverted for new approach road shall be coterminous with the period of mining lease.

xiii. The User Agency and the State Government shall strictly comply with the conditions stipulated in the Stage-II (Final) approval already accorded by GoI for the subject proposal;

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
VIJAY KUMAR GSRKR
SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Inspector General of Forests (Central)
Government of India,
Ministry of Environment, Forests & Climate Change
Integrated Regional Office, Vijayawada,
Green House Complex, Gopal Reddy Road,
Vijayawada-520010.

Smt.D.Mamatha Rani, Flat No.1, Sreenivasa Residency,
Saraswathi Nagar, Nellore – 524 003.

SF/SC

// FORWARDED :: BY ORDER //

N. Jagadeeswary.
SECTION OFFICER